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09/25/2002

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EXAMINER

LEE, CHI HO A

ART UNIT

PAPER NUMBER

2663

DATE MAILED: 09/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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DETAILED ACTION

Continued Prosecution Application

1. The request filed on 9/9/02 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/270,297 is acceptable and a CPA has been established. An action on the CPA follows.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 28-39 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 28 recites the limitation "a physical line" in lines 8 and 12. There is insufficient antecedent basis for this limitation in the claim.

Claim 37 recites, "being attempted though the card". It is unclear what this means. This claim limitation will be interpreted as "being attempted through the card".

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 1-6 and 28-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lancelot et al U.S. Patent Number 6,026,086 in view of Korpela U.S. Patent Number 5,946,634.

Re Claim 1, Lancelot teaches in fig 3, the processor arrangement 190 detects a connection request via user interface 215 to establish a connection over the network connection 103, wherein hardware arrangement of fig 3 is the hardware platform; the processor arrangement 190 determines the type of network service whether circuit network 160 or a packet network 150 (See col. 8, lines 5-20). Lancelot further teaches set of programs that are stored in memory 195 that the processor arrangement accesses to initiate the inter-working functions (See col. 7, lines 51-63).

Lancelot fails to explicitly teach downloading in response to the determining, to the hardware platform, software specific to the type of network service.

Korpela teaches a method of signaling a network device to download software to format the user data to be compatible with the network backbone (See Col. 6, lines 38-52). Korpela teaches that the software is downloaded when communicating device encounter a new type of backbone network. One skilled in the art would have been motivated by Korpela to download software to the communication device to be adaptive to plurality of backbone networks. Therefore, it would have been obvious to one ordinary skilled incorporate the teaching of Korpela into the teaching of Lancelot.

Re Claim 2, in fig 2 of Lancelot teaches, the hardware platform of 110 coupled to the primary station 105, that includes the local switch 15 to direct the traffic transported from 103 (physical line) via Communication controller 145 (a processor).

Re Claim 3, Lancelot teaches 190 associated with memory 195 for accessing set of software.

Re Claims 4, 33, 41, Lancelot teaches 110 coupled to the telephone 170 (voice service).

Re Claims 5, 6, 34, 35, 43, 44, Lancelot teaches the primary station coupled to a packet-based network. Lancelot teach that the cell and frame based packet network (See col. 4, lines 30-36).

Re Claims 28, 29, 30, 37-39, examiner takes official notice that cards can implement the hardware components of secondary stations 110. Fig 4 of Lancelot teaches the determination process of type of services 330, 345, and 360 (first, second, third software image), wherein the arrangement processor 190 downloads from memory 195 specific software for emulating the service over 103 (physical line) and through the card.

Re Claim 31, refer to Claim 29, wherein the transport include packet/frame data.

Re Claim 32, fig 1 of Lancelot teaches the primary station 105 coupled to the circuit switch network, PSTN. The physical line coupling the 105 to the PSTN can be any T-carrier for carrying voice or data, T1/E1 (See col.10, line 15-21).

Re Claim 36, refer to Claim 28, wherein the processor arrangement 190 perform the switching function, located on the 110, for routing traffic from plurality user interface 215 over the network interface (a line interface) and for accessing the memory 195.

6. Claims 40-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lancelot et al U.S. Patent Number 6,026,086 in view of Korpela U.S. Patent Number

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5,946,634 as applied to Claim 1 above and further in view of Hulen et al U.S. Patent Number 5,497,373.

Re Claims 40, 42, and 45, Lancelot et al in view of Korpela teaches in fig 3, network interface 210 (first means) coupled to 103 (physical line); the processor arrangement 190 (second means for executing) determines the type of network service whether circuit network 160 or a packet network 150 (See col. 8, lines 5-20); set of programs that are stored in memory 195 (third means) that the processor arrangement accesses to initiate the inter-working functions (See col. 7, lines 51-63).

Lancelot et al in view of Korpela fails to explicitly teach the switch that receives traffic from the interface and routes the traffic to the processor. However, Hulen et al teaches multi-media interface universally and flexibly support plurality of applications. In particular, Hulen et al teaches in fig 2, the line interface module 16 that receives ingress traffic and forwards to Time slot Interchanger (a switch) to selectively route the traffic to specific DSP (processor) (See col. 6, lines 33-54). One skilled in the art would have been motivated by Hulen to modify the secondary station in Lancelot et al to simultaneously process multiple channels with increased processing speed. Therefore, it would have been obvious to one ordinary skilled incorporate the teaching of Hulen et al into the teaching of Lancelot et al in view of Korpela.

Re Claims 41 and 46, Lancelot teaches 110 coupled to the telephone 170 (voice service).


Re Claims 43, 44, 47, and 48, Lancelot teaches the primary station coupled to a packet-based network. Lancelot teach that the cell and frame based packet network

(See col. 4, lines 30-36).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Lee whose telephone number is 703-305-1500. The examiner can normally be reached on Monday to Friday from 8:30AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on 703-308-5340. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



Andy Lee
September 20, 2002